



TOWN OF FAIRHAVEN, MASSACHUSETTS

CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

Memorandum

Date: March 15, 2019

To: Conservation Commission

From: Whitney McClees, Agent

RE: Application Recommendations for March 18, 2019 Meeting

CON-19-024 **7 Union Street**

Notice of Intent filed by Fairhaven Shipyard Companies, Inc. for the construction of a pile-supported platform, gangway and pile-anchored float, the demolition of an existing building, construction of a new building, installation of a temporary building, and the repaving of existing paved areas at the property located at 7 Union Street, Assessors Map 7, Parcel 11. Work to take place within Designated Port Area, Land Under Ocean, Land Containing Shellfish, and Land Subject to Coastal Storm Flowage/Zone AE.

Recommended Conditions: Plans dated February 27, 2019, Conservation Agent shall be notified 72 hours before the start of work, ADD-1, ADD-4b, CAP-1, BLD-1, COC-2, MAC-3, DEB-3, DER-1, EMC-1, REC-1, REC-3, STO-4

CON-19-027 **46 Sconticut Neck Road**

Abbreviated Notice of Resource Area Delineation filed by Joshua Alves, Alexander Grey Development LLC, requesting confirmation of a boundary delineation of a Bordering Vegetated Wetland and Bordering Land Subject to Flooding, at the property located at 46 Sconticut Neck Road, Assessors Map 28, Parcel 24.

Recommendation: Approve ORAD with adjustments to line as noted by peer reviewer

CON-19-013 **30 Alder Street**

Notice of Intent filed by April and Joel Briner for the construction of a new one-bay garage, and two additions and a new deck on the existing house at the property located at 30 Alder Street, Assessors Map 43A, Lot 15. Work to take place within Land Subject to Coastal Storm Flowage/Flood Zone V and Buffer Zone to Beach and Bank resource areas.

Recommendation: Unknown, Applicant withdrew from ZBA, no communication regarding ConCom

CON-19-040 352 New Boston Road

Request for Determination of Applicability filed by Peter and Melissa DeTerra for the determination of whether the proposed repair and upgrade of a sewage disposal system is subject to the jurisdiction of the Fairhaven Wetlands Bylaw at the property located at 352 New Boston Road, Assessors Map 40, Lot 28C. Work to take place within Nasketucket River Basin.

Recommendation: Negative Determination (1 or 2)

CON-19-041 12 Gilbert Street

Notice of Intent filed by Eunice Eble for additions to an existing single family dwelling, including elevating the structure to that fill can be placed to eventually get the structure removed from the Special Flood Hazard Area, at the property located at 12 Gilbert Street, Assessors Map 29A, Lot 221. Work to take place within Land Subject to Coastal Storm Flowage/Flood Zone AE.

Recommended Conditions: Conservation Agent shall be notified 72 hours before the start of work, ADD-1, ADD-4b, CAP-1, BLD-3, MAC-3, DEB-1, DER-1, EMC-1, REC-1, REC-3, SIL-5, STO-4

CON-19-042 9 Goulart Memorial Drive

Notice of Intent filed by Fernando and Diane Lemos for a landscaping project at the property located at 9 Goulart Memorial Drive, Assessors Map 42, Lot 15G. Work to take place within Salt Marsh, Buffer Zone to Salt Marsh, Bordering Vegetated Wetland, Buffer Zone to Bordering Vegetated Wetland, and Land Subject to Coastal Storm Flowage/Zone VE.

Notes/Recommendations:

- Florida Dogwood grows 20-30 feet, is this taller than the existing trees?
- Additionally, generally Florida Dogwood grows better in well-drained soils and is classified as a FACU plant (usually found in non-wetlands but occasionally found in wetlands). Might do okay.
 - Alternatives may include Silky dogwood (6'-9', FACW), Red osier dogwood (6'-10', FACW+), or Gray dogwood (12'-15', FAC)
- Planting plan to include native wetland plants such as Highbush Blueberry, Sweet Pepperbush, Common Spicebush, etc. (i.e. plants that are already thriving in the resource area) and reduce or avoid non-native plants such as Japanese (Kousa) dogwood and Japanese Holly.
- How are you getting into the resource area to remove the trees? Will there be any impact to existing vegetation when trees are removed?
- Who identified the existing vegetation?

Recommended Conditions: Conservation Agent shall be notified 72 hours before the start of work, ACC-1, ADD-1, ADD-4b, COC-2, CHM-3, MAC-3, DER-1, EMC-1, LOW-5, REC-1, REC-3, STO-4, Vegetation planted in resource areas shall be monitored for three growing seasons and if at least 75% of the wetland resource area plantings fail to become established in that time, the Commission reserves the right to require additional measures necessary to achieve compliance,

The stored woodchips shall be prevented from washing into adjacent resource areas through adequate erosion and sedimentation control measures

CON-19-043 4 Balsam Street

Request for Determination of Applicability filed by Sylvester J. Vercellone for the determination of whether the proposed construction of a shed is subject to the jurisdiction of the Wetlands Protection Act and the Fairhaven Wetlands Bylaw at the property located at 4 Balsam Street, Assessors Map 43C, Lot 38. Work to take place within the Buffer Zone to Coastal Bank and Land Subject to Coastal Storm Flowage/Zone VE.

Recommendation: Negative 3 Determination, no cutting or removal of existing vegetation, any soil/debris removed needs to be stored in the front of the house or taken offsite and disposed of appropriately.

10 Roseanne Drive

Violation, filling of wetland with woodchips

Recommendation: restoration and planting plan submitted by April 18 for approval at April 22 meeting, once approved work to be completed by August 1 for approval at August 19 meeting

Assessors Map 41, Lots 60-67 and 74-81 (owner resides at 1 Pavillion Way)

Enforcement Order, alteration of Bordering Vegetated Wetland and buffer zone to wetland

EO orders cease and desist and restoration, including:

- Assessment of site and submission of a restoration plan by a qualified professional by April 5, 2019
- Restoring, regrading, and revegetating the disturbed area to the original extent of the resource area by August 31, 2019 as laid out by the Commission in response to the submitted restoration plan
- Assessments of vegetation, soils, and hydrology for three growing seasons following the completion of the work to determine re-establishment of wetland conditions